

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

In Re: Mercy Health Erisa Litigation

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Case Number: 1:16cv441

Judge Susan J. Dlott

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on December 2, 2016 a Report and Recommendation (Doc. 42). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 45) and plaintiff Lupp filed a response to the objections (Doc. 49).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, plaintiff Lupp's motion to appoint interim class counsel (Doc. 25) is GRANTED. The law firms of Kessler, Topaz, Meltzer & Check, LLP ("KTMC") and Izard, Kindall & Raabe, LLP ("IKR") are appointed Interim Co-Lead Class Counsel and Strauss Troy Company, LPA is appointed Interim Liaison Class Counsel. It is further ORDERED that the Whaley plaintiff's motion to appoint interim class counsel (Doc. 33) is DENIED.

IT IS SO ORDERED.



Judge Susan J. Dlott
United States District Court